

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JOSE F. OLIVARES,

Plaintiff,

Case No. 22-cv-10574

Hon. Matthew F. Leitman

v.

PERFORMANCE CONTRACTING  
GROUP, *et al.*,

Defendants.

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**ORDER DENYING PLAINTIFF’S MOTIONS  
FOR REINSTATEMENT OF COMPLAINT (ECF No. 87, 89)**

On May 5, 1998, Plaintiff Jose F. Olivares “tore his left rotator cuff falling off a ladder while performing work for his employer, Performance Contracting Group, Inc. (“PCG”).” (Sixth Cir. Order, ECF No. 83, PageID.743.) “Since then, Olivares has filed several state and federal lawsuits in an effort to obtain additional [workers’ compensation] benefits.” (*Id.*, PageID.744.) “This case is more of the same.” (*Id.*)

In this action, Olivares brought an intentional-tort claim against PCG and PCG’s General Counsel, Charles Williams. (*See* Am. Compl., ECF No. 23.) Defendants moved for summary judgment. (*See* Mot., ECF No. 46.) On July 14, 2023, the Court granted Defendants’ motion and entered judgment against Olivares and in favor of Defendants. (*See* Order, ECF No. 73; Judgment, ECF No. 74.)

Olivares appealed the Court's ruling, and the Sixth Circuit affirmed on March 25, 2024. (*See* Sixth Cir. Order, ECF No. 83.)

Olivares has now returned to this Court and has filed two motions to reinstate his Complaint based on newly-discovered evidence. (*See* Motions, ECF Nos. 87, 89.) The Court has reviewed the motions and **DENIES** them. Simply put, there is no basis for the Court to reinstate Olivares' Complaint, and he has not shown any entitlement to the relief he seeks in his motions. The Court sympathizes with Olivares and feels badly about his circumstances, but the time has come to stop the filings in this action unless there is a substantial basis to make those filings. The Court cautions Olivares that if he continues to submit additional, baseless filings to the Court, the Court could impose sanctions against him, including but not limited to an order prohibiting Olivares from filing documents without prior permission of the Court.

**IT IS SO ORDERED.**

Dated: June 25, 2024

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 25, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan  
Case Manager  
(313) 234-5126